## **Broadcasting Notice of Public Hearing CRTC 2005-7**

Ottawa, 28 July 2005

The Commission will hold a public hearing commencing on 3 October 2005 at 9:30 a.m., at the Best Western Charlottetown, 238 Grafton Street, Charlottetown, Prince Edward Island, to consider the following applications. The deadline for submission of interventions/comments is 1 September 2005.

### **Item Applicant and Locality**

- 1. **Maritime Broadcasting System Limited**Charlottetown, Prince Edward Island
- 2. **Coast Broadcasting Ltd.** Charlottetown, Prince Edward Island
- 3. **Astral Media Radio Atlantic Inc.** Charlottetown, Prince Edward Island
- 4. **Newcap Inc.** Charlottetown, Prince Edward Island
- 5. **Newcap Inc.** Charlottetown, Prince Edward Island
- 6. **Astral Media Radio Atlantic Inc.** New Glasgow, Nova Scotia
- 7. **Acadia Broadcasting Limited** New Glasgow, Nova Scotia
- 8. **Atlantic Broadcasters Limited** New Glasgow, Nova Scotia
- 9. **Hector Broadcasting Company Limited** New Glasgow, Nova Scotia
- 10. **St. Andrews Community Channel Inc.** St. Andrews, New Brunswick
- 11. **TVA Group Inc.** Montréal, Quebec
- 12. **3937844 Canada Inc.** (Newcap) Slave Lake, Alberta
- 13. Amherst Island Radio Broadcasting Inc. Stella, Ontario
- 14. **Michael Garrow, on behalf of a corporation to be incorporated** Across Canada
- 15. **History Television Inc.** 
  - Across Canada
- 16. **Life Network Inc.** 
  - Across Canada
- 17. **2067346 Ontario Limited** Across Canada



#### 18. Look Communications inc.

Barrie, Belleville, Brantford, Brockville, Chatham, Cobourg, Collingwood, Cornwall, Guelph, Hamilton, Kingston, Kitchener, Leamington, Lindsay, London, Midland, Orillia, Oshawa, Owen Sound, Peterborough, Port Hope, St. Catharines/Niagara, Sarnia/Clearwater, Simcoe, Stratford, Tillsonburg and Toronto, Ontario; Montréal and surrounding areas; Québec and surrounding areas including Saguenay/Lac St-Jean and surrounding areas, Quebec and Western Quebec and Eastern Ontario, including the National Capital Region.

#### Preamble (for items 1 to 9)

On 11 January 2005, the Commission issued Broadcasting Public Notice CRTC 2005-3 calling for applications for broadcasting licences to provide radio programming services for Charlottetown, Prince Edward Island.

On 15 September 2004, the Commission issued Broadcasting Public Notice CRTC 2004-68 calling for applications for broadcasting licences to provide radio programming services for New Glasgow, Nova Scotia.

In response to these calls, the Commission has received a number of applications for licences to serve these markets.

Some of these applications are proposing to use similar frequencies and are therefore technically mutually exclusive. The applications are:

For Charlottetown, items 1 and 2 are technically mutually exclusive proposing the use of the frequency 95.1 MHz. These applications along with items 3, 4 and 5 will be treated as competitive radio applications for Charlottetown.

For New Glasgow, items 6, 7, 8, and 9 are technically mutually exclusive proposing the use of the frequency 94.1 MHz. All of these will be treated as competitive radio applications for New Glasgow.

#### For items 6 to 9

These items involve competitive radio applications which the Commission proposes to consider, subject to interventions, as part of the non-appearing phase of this proceeding.

## 1. Charlottetown, Prince Edward Island Application No. 2005-0430-0

Application by **Maritime Broadcasting System Limited** to convert radio station CFCY Charlottetown from the AM band to the FM band.

The new station would operate on frequency 95.1 MHz (channel 236 C1) with an average effective radiated power of 73,300 watts (maximum effective radiated power of 100,000 watts/antenna height of 179 metres).

The applicant is requesting permission to simulcast the programming of the new FM station on CFCY for a period of three months from the date of implementation of the new station.

The applicant is also requesting, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the revocation of the licence of CFCY effective at the end of the simulcast period.

The applicant proposes to maintain its current Country music format.

The Commission will only proceed with this application at the public hearing if advised by the Department of Industry, at least twenty days prior to the hearing, that it is technically acceptable.

This application requires the issuance of a new licence.

Applicant's address:

5121 Sackville Street 7<sup>th</sup> Floor Halifax, Nova Scotia B3J 1K1

Fax: (902) 423-2093

E-Mail: mail@mbsradio.com

Examination of application:

CFCY Radio 5 Prince Street Charlottetown, Prince Edward Island

[Broadcasting intervention/comments form]

## 2. Charlottetown, Prince Edward Island Application No. 2005-0437-5

Application by **Coast Broadcasting Ltd.** for a licence to operate an English-language FM commercial radio programming undertaking in Charlottetown.

The new station would operate on frequency 95.1 MHz (channel 236 C1) with an average effective radiated power of 17,900 watts (maximum effective radiated power of 60,000 watts/antenna height of 213 metres).

The applicant proposes an adult pop music format that will primarly feature music from the 80's, 90's and today.

The Commission will only proceed with this application at the public hearing if advised by the Department of Industry, at least twenty days prior to the hearing, that it is technically acceptable.

Applicant's address:

P.O. Box 28106 48 Kenmount Road St. John's, Newfoundland and Labrador A1B 4J8

Fax: (709)754-6749

E-Mail: andyk@coast1011.com

Examination of application:

McInnes Cooper BDC Place Suite 620 119 Kent Street Charlottetown, Prince Edward Island

[Broadcasting intervention/comments form]

# 3. Charlottetown, Prince Edward Island Application No. 2004-0882-4

Application by **Astral Media Radio Atlantic Inc.** for a licence to operate an English-language commercial FM radio programming undertaking in Charlottetown.

The new station would operate on frequency 92.5 MHz (channel 223 C1) with an average effective radiated power of 27,400 watts (maximum effective radiated power of 70,000 watts/antenna height of 213 metres).

The applicant is proposing a classic rock music format.

Applicant's address:

206 Rookwood Avenue Fredericton, New Brunswick

Fax: (514) 529-3263

E-Mail: claflamme@radio.astral.com

Examination of application:

City Hall 199 Queen Street Charlottetown, Prince Edward Island

[Broadcasting intervention/comments form]

## 4. Charlottetown, Prince Edward Island Application No. 2005-0436-7

Application by **Newcap Inc.** for a licence to operate an English-language FM commercial radio programming undertaking in Charlottetown.

The new station would operate on frequency 89.9 MHz (channel 210 C1) with an effective radiated power of 100,000 watts (non-directional antenna/antenna height of 253 metres).

The applicant proposes a rock format that will feature music from the late 1960's through to the rock hits of today.

The Commission will only proceed with this application at the public hearing if advised by the Department of Industry, at least twenty days prior to the hearing, that it is technically acceptable.

Applicant's address:

745 Windmill Road Dartmouth, Nova Scotia B3B 1C2

Fax: (902) 468-5661 E-Mail: ncc@ncc.ca Examination of application:

5 Prince Street Charlottetown, Prince Edward Island

[Broadcasting intervention/comments form]

## 5. Charlottetown, Prince Edward Island Application No. 2004-1221-3

Application by **Newcap Inc.** to convert radio station CHTN Charlottetown from the AM band to the FM band.

The new station would operate on frequency 100.3 MHz (channel 262 C1) with an average effective radiated power of 33,000 watts (maximum effective radiated power of 88,000 watts/antenna height of 212.6 metres).

The applicant is requesting permission to simulcast the programming of the new FM station on CHTN for a period of three months from the date of implementation of the new station.

The licensee is also requesting, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the revocation of the licence of CHTN effective at the end of the simulcast period.

The applicant proposes to broadcast a Classic Hits music format.

The application requires the issuance of a new licence.

Applicant's address:

745 Windmill Road Dartmouth, Nova Scotia B3B 1C2

Fax: (902) 468-5661 E-Mail: ncc@ncc.ca

Examination of application:

5 Prince Street, Charlottetown, Prince Edward Island

[Broadcasting intervention/comments form]

## 6. New Glasgow, Nova Scotia Application No. 2003-1748-9

Application by **Astral Media Radio Atlantic Inc.** for a licence to operate an English-language FM commercial radio programming undertaking in New Glasgow.

The new station would operate on frequency 94.1 MHz (channel 231B) with an effective radiated power of 8,000 watts (non-directional antenna/antenna height of 109 metres).

The applicant is proposing a Hot Adult Contemporary music format that will feature new rock and pop releases.

Applicant's address:

206 Rockwood Avenue Fredericton, New Brunswick E3B 2M2

Fax: (514) 529-3235

E-Mail: claflamme@radio.astral.com

Examination of application:

c/o Mr. Milton Veniot Margeson Wilson & Veniot, Barristers and Solicitors 61 Provost Street New Glasgow, Nova Scotia

[Broadcasting intervention/comments form]

## 7. New Glasgow, Nova Scotia Application No. 2004-1349-3

Application by **Acadia Broadcasting Limited** for a licence to operate an English-language commercial FM radio programming undertaking in New Glasgow.

The new station would operate on frequency 94.1 MHz (channel 231B) with an effective radiated power of 50,000 watts (non-directional antenna/antenna height of 115.5 metres).

The applicant proposes a Classic Rock music format featuring selections from the 1960's to the late 1990's.

58 King Street Saint John, New Brunswick E2L 3T4

Fax: (506) 632-3407

E-Mail: macmullin.jim@radioabl.com

Examination of application:

Law offices of Daley DeMont 133A Provost Street New Glasgow, Nova Scotia

[Broadcasting intervention/comments form]

## 8. New Glasgow, Nova Scotia Application No. 2004-1353-4

Application by **Atlantic Broadcasters Limited** for a licence to operate an English-language commercial radio programming undertaking in New Glasgow.

The new station would operate on frequency 94.1 MHz (channel 231B) with an effective radiated power of 6 000 watts (non-directional antenna/antenna height of 111 metres).

The applicant proposes a Hot Adult Contemporary / Pop mix music format.

Applicant's address:

85 Kirk Street Antigonish, Nova Scotia B2G 2R9

Fax: (902) 863-6300 E-Mail: cjfx@cjfx.ca

Examination of application:

New Glasgow Credit Union 175 Victoria Street New Glasgow, Nova Scotia

and

Office of the Municipality of the County of Pictou Church Street New Glasgow, Nova Scotia

[Broadcasting intervention/comments form]

## 9. New Glasgow, Nova Scotia Application No. 2004-1354-2

Application by **Hector Broadcasting Company Limited** to convert radio station CKEC New Glasgow from the AM band to the FM band.

The new station would operate on frequency 94.1 MHz (channel 231C1) with an average effective radiated power of 51,880 watts (maximum effective radiated power of 100,000 watts/antenna height of 207.8 metres).

The applicant proposes an Adult Contemporary music format.

The applicant is requesting permission to simulcast the programming of the new FM station on CKEC for a period of 3 months from the date of implementation of the new station.

The applicant is also requesting, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the revocation of the licence of CKEC effective at the end of the simulcast period.

The Commission will only proceed with this application at the public hearing if advised by the Department of Industry, at least twenty days prior to the hearing, that it is technically acceptable.

This application requires the issuance of a new licence.

Applicant's address:

P.O. Box 519 84 Provost Street New Glasgow, Nova Scotia B2H 5E7

Fax: (902) 755-2468

E-Mail: admin@ckec.com

Examination of application:

At the applicant's address

[Broadcasting intervention/comments form]

## 10. **St. Andrews, New Brunswick Application No. 2004-1579-6**

Application by **St. Andrews Community Channel Inc.** for a licence to operate a community-based English-language low power television programming undertaking in St. Andrews.

The new station would operate on channel 26 with a transmitter power of 100 watts.

Applicant's address:

24 Reed Avenue Unit 2 St. Andrews, New Brunswick E5B 1A1

Fax: (506) 529-5183

E-Mail: <u>bd7@nb.sympatico.ca</u>

Examination of application:

Town Hall 212 Water Street St. Andrews, New Brunswick

[Broadcasting intervention/comments form]

## 11. Montréal, Quebec Application No. 2005-0221-2

Application by **TVA Group Inc.** (TVA) for a licence to operate a French-language radio network.

The licence would authorize TVA to operate a radio network to broadcast some programming, originating from CFTM-TV-Montréal, on the radio network Rock Détente, owned and operated by Astral Media Radio inc., and on any other radio programming undertaking.

1600 Maisonneuve Boulevard East Programming, 5th floor Montréal, Quebec H2L 4P2

Fax: (514) 380-4664

E-Mail: trepanier.edouard@quebecor.com

Examination of application:

At the applicant's address, and

Quebecor Média inc. 300 Viger Avenue East Regulatory Affairs 6<sup>th</sup> floor east Montréal, Quebec

[Broadcasting intervention/comments form]

## 12. Slave Lake, Alberta Application No. 2005-0435-9

Application by **3937844** Canada Inc. (3937844) to convert radio station CKWA Slave Lake from the AM band to the FM band. 3937844 is controlled by Newcap Inc.

The new station would operate on frequency 92.7 MHz (channel 224B) with an effective radiated power of 5,700 watts (non-directional antenna/antenna height of 315.4 metres).

The applicant proposes to maintain its current country music format.

The applicant is requesting permission to simulcast the programming of the new FM station on CKWA for a period of three months from the date of implementation of the new station.

The applicant is also requesting, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the revocation of the licence of CKWA effective at the end of the simulcast period.

The Commission will only proceed with this application at the public hearing if advised by the Department of Industry, at least twenty days prior to the hearing, that it is technically acceptable.

This application requires the issuance of a new licence.

745 Windmill Road Dartmouth, Nova Scotia. Fax: (902) 468-5661

E-Mail: ncc@ncc.ca

Examination of application:

207-201 Main Street Slave Lake, Alberta

[Broadcasting intervention/comments form]

## 13. Stella, Ontario Application No. 2005-0513-3

Application by **Amherst Island Radio Broadcasting Inc.** for a licence to operate an English-language FM developmental community radio programming undertaking in Stella.

The new station would operate on frequency 93.7 MHz (channel 229LP) with an effective radiated power of 5 watts (non-directional antenna/antenna height of 25.8 metres).

Applicant's address:

170 Stella Forty-Foot Road Stella, Ontario K0H 2S0

Fax: (613) 634-1835

E-Mail: air@amherstisland.on.ca

Examination of application:

Amherst Island Ferry Office 5555 Front Road Stella, Ontario

[Broadcasting intervention/comments form]

### 14. Across Canada Application No. 2005-0253-5

Application by **Michael Garrow, on behalf of a corporation to be incorporated**, for a licence to operate a Category 2 national English-language specialty programming undertaking to be known as The Wagering Network.

The applicant states that the service will consist of programming dedicated to all aspects of the gaming world in Canada and abroad. It will carry no live event sports and sports highlights will comprise no more than 10% of its programming schedule.

The applicant proposes to offer programming from the following categories: 1, 2(a), 2(b), 3, 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(f), 7(g), 9, 10, 11, 12, 13 and 14, as set out in Schedule I of the *Specialty Services Regulations*, 1990.

Applicant's address:

488 Wellington Street West Suite 204 Toronto, Ontario M5V 1E3

Fax: (416) 368-6827

E-Mail: mgarrow@cogeco.ca

Examination of application:

At the applicant's address

[Broadcasting intervention/comments form]

## 15. Across Canada Application No. 2005-0319-5

Application by **History Television Inc.** for a licence to operate a Category 2 national English-language specialty programming undertaking to be known as Military Television.

The applicant states that the programming will be dedicated to programs relating to the history, analysis and dramatization of armed conflict and military matters, peacekeeping and warfare throughout the world. Programming will consist of series, feature films, drama, documentaries and information as well as analysis and magazine style programs.

The applicant proposes to offer programming from the following categories: 2(a), 2(b), 3, 7(a), 7(c), 7(d), 7(g), 11, 12, 13 and 14 as set out in Schedule I of the *Specialty Services Regulations*, 1990.

All drama programming on Military Television must have armed conflict, the military, peacekeeping and/or warfare in its central theme.

121 Bloor Street East Toronto, Ontario M4W 3M5

Fax: (416) 934-7880

E-Mail: kathleen.brown@allianceatlantis.com

Examination of application:

At the applicant's address

[Broadcasting intervention/comments form]

## 16. Across Canada Application No. 2005-0320-3

Application by **Life Network Inc.** for a licence to operate a Category 2 national English-language specialty programming undertaking to be known as Parent TV.

The applicant states that the programming will be devoted to providing parents, parents-to-be, aunts, uncles, grandparents and interested friends, the latest information on pregnancy, parenting, baby development and child rearing. It will also entertain parents or others with humorous and entertaining dramas on family life and child rearing.

The applicant proposes that not more than 15% of all programming broadcast during the broadcast week would be drawn from category 7 (Drama).

The applicant proposes to offer programming from the following categories: 2(a), 2(b), 5(b), 7(a), 7(b), 7(c), 7(d), 11, 12, 13 and 14 as set out in Schedule I of the *Specialty Services Regulations*, 1990.

Applicant's address:

121 Bloor Street East Toronto, Ontario M4W 3M5

Fax: (416) 934-7880

E-Mail: kathleen.brown@allianceatlantis.com

Examination of application:

At the applicant's address

[Broadcasting intervention/comments form]

### 17. Across Canada Application No. 2005-0481-2

Application by **2067346 Ontario Limited** (Gagliano family) for a licence to operate a Category 2 national English-language specialty programming undertaking to be known as Wedding Bells TV.

The applicant states that the programming will be dedicated to marriage, weddings, wedding themes and wedding-related programming. The service will offer programming consisting of feature films, documentaries, shorts, series and other programs about weddings and marriage with a focus on providing unique insights and information to viewers concerning weddings and marriage themes.

The applicant proposes to offer programming from the following categories: 1, 2(a), 2(b), 3, 4, 5(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 10, 11, 12 and 14 as set out in Schedule I of the *Specialty Services Regulations*, 1990.

The applicant proposes that all programming broadcast during the broadcast week shall have a theme or subject related exclusively to weddings and marriage.

Applicant's address:

50 MacIntosh Boulevard Concord, Ontario L4K 4P3

Fax: (905) 660-3872

E-Mail: khacker@stjoseph.com

Examination of application:

At the applicant's address

[Broadcasting intervention/comments form]

18. Barrie, Belleville, Brantford, Brockville, Chatham, Cobourg, Collingwood, Cornwall, Guelph, Hamilton, Kingston, Kitchener, Leamington, Lindsay, London, Midland, Orillia, Oshawa, Owen Sound, Peterborough, Port Hope, St. Catharines/Niagara, Sarnia/Clearwater, Simcoe, Stratford, Tillsonburg and Toronto, Ontario; Montréal and surrounding areas; Québec and surrounding areas including Saguenay/Lac St-Jean and surrounding areas, Quebec and Western Quebec and Eastern Ontario, including the National Capital Region Application No. 2005-0802-0

Application by **Look Communications Inc.** (LOOK), on behalf of a wholly owned subsidiary to be incorporated (Newco), to acquire from LOOK, the assets of the

multipoint distribution system (MDS) radiocommunication distribution undertaking serving communities in Southern Ontario, in Quebec and Eastern Ontario.

The applicant is also requesting a new licence to be issued to Newco, to continue the operation of the MDS undertaking, upon surrender of the current licence issued to LOOK.

The Commission notes that the proposed transaction will be implemented through an intra-corporate reorganization that will not affect the effective control of the MDS undertaking which will continue to be exercised by LOOK.

### Applicant's address:

Look Communications Inc. 1755 René Lévesque East Suite 201 Montréal, Quebec H2K 4P6

Fax: (519) 526-8360

E-Mail: michael@cytrynbaum.com

#### Examination of application:

Quebec: Same as the applicant's address

Ontario: 8250 Lawson Road,

Milton, Ontario

L9T 5C6

[Broadcasting intervention/comments form]

### **Public Participation**

#### **Deadline for interventions/comments**

#### 1 September 2005

The intervention must be received by the CRTC and by the applicant on or before the above-mentioned date. The Commission cannot be held responsible for postal delays.

The intervention must include one of the following statements in either the first or the last paragraph:

- 1 I request to appear at the public hearing.
- 2 I do not want to appear at the public hearing.

Your intervention will be considered by the Commission, and will form part of the public record of the proceeding without further notification to you, provided the procedure set out below has been followed. You will be contacted only if your submission raises procedural questions.

Submit your written intervention to the Secretary General of the Commission in **only one** of the following formats:

## by using the Broadcasting Intervention/Comments Form

located below the description of each application within this notice of public hearing

or

**by mail to** CRTC, Ottawa, Ontario K1A 0N2

or

**by fax at** (819) 994-0218

A true copy **must** be sent to the applicant and proof that this has been done must accompany the intervention sent to the Commission.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents or notification, as it may be difficult to establish that service has occurred.

Before initiating service through electronic mode, please ensure that you will be able to satisfy the Commission, upon request, that service of the notification was completed.

Where the intervention is filed by electronic means, the line \*\*\*End of document\*\*\* should be entered following the last paragraph of the document, as an indication that the document has not been damaged during electronic transmission.

Each paragraph of the document should be numbered.

Your intervention should clearly identify the application and indicate whether you support or oppose the application, or if you propose changes to it, include the facts and grounds for your proposal.

In the event that the application is brought to the oral phase of the hearing, and if you wish to appear, you must provide reasons why your written comments are not sufficient and why an appearance is necessary.

Persons requiring communications support such as assistance listening devices and sign language interpretation are requested to inform the commission at least twenty (20) days before the commencement of the public hearing so that the necessary arrangements can be made.

#### **Important**

All information submitted, including your email address, name and any other personal information as provided, will become part of the public record and can be viewed on the Commission's Web site.

Documents sent in electronic format will be put on the Commission's Web site exactly as we received them, and in the official language and format in which they are sent. Documents not received electronically will be scanned and put on the Web site.

#### **Examination of documents**

An electronic version of applications is available from the Commission's web site by selecting the application number within this notice.

A list of all interventions/comments will also be available on the Commission's Web site. An electronic version of all interventions/comments submitted will be accessible from this list. To access the list, select "Lists of interventions/comments" under "Public Proceedings" from the Commission's Web site.

Documents are also available during normal office hours at the local address provided in this notice and at the Commission offices and documentation centres directly involved with these applications or, upon request, within 2 working days, at any other CRTC offices and documentation centres.

Central Building Les Terrasses de la Chaudière 1 Promenade du Portage, Room 206 Gatineau, Quebec K1A 0N2 Tel: (819) 997-2429 – TDD: 994-0423 FAX: (819) 994-0218

Metropolitan Place 99 Wyse Road Suite 1410 Dartmouth, Nova Scotia B3A 4S5 Tel: (902) 426-7997 – TDD: 426-6997

FAX: (902) 426-2721

205 Viger Avenue West Suite 504 Montréal, Quebec H2Z 1G2 Tel: (514) 283-6607

55 St. Clair Avenue East Suite 624 Toronto, Ontario M4T 1M2 Tel: (416) 952-9096

Kensington Building 275 Portage Avenue Suite 1810 Winnipeg, Manitoba R3B 2B3

Tel: (204) 983-6306 – TDD: 983-8274

FAX: (204) 983-6317

Cornwall Professional Building 2125 – 11th Avenue Room 103 Regina, Saskatchewan S4P 3X3 Tel: (306) 780-3422

10405 Jasper Avenue Suite 520 Edmonton, Alberta T5J 3N4 Tel: (780) 495-3224

530-580 Hornby Street Vancouver, British Columbia V6C 3B6 Tel: (604) 666-2111 – TDD: 666-0778

FAX: (604) 666-8322

Secretary General

This document is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <a href="http://www.crtc.gc.ca">http://www.crtc.gc.ca</a>